

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF UNITED PIPE & SUPPLY
CO., INC.

Plaintiff,

v.

UNITED PIPE & SUPPLY CO., INC., an
Oregon Corporation

Defendant.

Case No. 3:12-cv-00694-HZ

**ORDER GRANTING RECEIVER'S
MOTION TO APPROVE FINAL
REPORT, TERMINATE
RECEIVERSHIP, DISCHARGE
RECEIVER AND EXONERATE BOND**

This matter came before the Court on the *Motion To Approve Final Report, Terminate Receivership, Discharge Receiver and Exonerate Bond* (Dkt. No. 182) (the "Motion"), filed by Myers & Co. Consultants LLC, the court-appointed Receiver (the "Receiver") in this case, seeking an order: (1) approving the Receiver's final report and accounting in the receivership; (2) approving the payments made during the pendency of the receivership case; (3) authorizing the Receiver to transfer on or before December 31, 2013, all the remaining assets of United Pipe & Supply Co., Inc. to the UPS Liquidating Trust after payment of all expenses including the receivership administrative expenses; (4) terminating the receivership; (5) discharging and releasing the Receiver; and (6) exonerating the Receiver's bond. The Court, having reviewed the Motion and

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the *Declaration of Conrad Myers In Support Of Receiver's Motion To Approve Final Report, Terminate Receivership, Discharge Receiver and Exonerate Bond* (Dkt. No. 187), and it appearing that requisite notice of the Motion was provided, that good cause exists to terminate the receivership and discharge the Receiver, and that no objections to the Motion were filed or received, and that the relief requested by the Motion is appropriate, it is hereby


ORDERED as follows;

1. The Motion is granted.
2. The Court accepts and approves the Receiver's Final Report and the accounting and financial reports filed by the Receiver in connection with this case.
3. The actions taken and the payments made by the Receiver during the receivership are hereby approved.
4. The Receiver is authorized to pay any remaining professional fees and administrative expenses of the receivership incurred in the ordinary course of the receivership as provided for in the approved Order Approving Joint Plan of the Receiver and the Committee, and as requested in the Motion.
5. The receivership is hereby terminated, and the Receiver's bond obtained in connection with the receivership is hereby exonerated.
6. The Receiver shall have no further obligations whatsoever with regard to the Plaintiff, the receivership, or the Defendant, and the Receiver, its officers, employees, agents, attorneys and representatives are discharged and released from any and all duties, liabilities and responsibilities, except for those actions necessary to complete the assignment and transfer of any remaining receivership assets not yet fully administered to the UPS Liquidating Trust including, but not limited to, all books and records, which trust shall thereafter hold and administer such assets for the benefit of the holders of Allowed Class 3 General Unsecured Claims. This Court shall retain

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jurisdiction under the Order Approving Joint Distribution Plan of the Receiver and the Committee.

Dated this 17 day of Dec., 2013.



Honorable Marco A. Hernandez
United States District Court Judge

Presented by:

SUSSMAN SHANK LLP

By /s/ Jeffrey C. Misley
Jeffrey C. Misley, OSB No. 85064
Attorneys for Receiver, Myers & Co. Consultants LLC

c: ECF Participants

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